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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
CHATAQUAKA POLK,)
)
Complainant,)
)
-vs-)
) No. 14-0633
COMMONWEALTH EDISON COMPANY,)
)
Respondent.)
)
Complaint as to billing/charges)
in Harvey, Illinois)

Chicago, Illinois
May 4, 2015

Met pursuant to notice at 11:00 a.m.

BEFORE:
D. Ethan Kimbrel, Administrative Law Judge.

1 APPEARANCES:

2 MS. CHATAQUAKA POLK
3 14530 South Halsted Street, Apartment 2
4 Harvey, Illinois 60426
5 (708) 297-6533

6
7 Appearing pro se;

8
9 MARK L. GOLDSTEIN PC, by
10 MR. MARK L. GOLDSTEIN
11 3019 Province Circle
12 Mundelein, Illinois 60060
13 (847) 949-1340

14 - and -

15 GRAHAM & GRAHAM LLP, by
16 MS. REBECCA A. GRAHAM
17 115 South LaSalle Street, Suite 2600
18 Chicago, Illinois 60603
19 (312) 505-8154

20
21 Appearing on behalf of
22 Commonwealth Edison Company.

ALSO PRESENT:
Byron Geib, Commonwealth Edison Company

SULLIVAN REPORTING COMPANY, by
Brad Benjamin, CSR
License No. 084-004805

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-direct</u>	<u>Re-cross</u>	<u>By Examiner</u>
Chataquaka Polk		61			Ms. Graham
Byron Geib	65				Ms. Graham
		77			Ms. C. Polk
			86		Ms. Graham

C L O S I N G A R G U M E N T S

<u>Counsel</u>	<u>Page</u>
Complainant (Ms. Chataquaka Polk - pro se)	87
Respondent (Ms. Graham)	88

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
Group Exhibit Nos. 1 and 2	60	60
ComEd Exhibit Nos. 1 and 2	92	76

1 JUDGE KIMBREL: Pursuant to the authority of
2 the Illinois Commerce Commission, I now call Docket
3 14-0633. This is Chataquaka Polk versus Commonwealth
4 Edison Company. This is a complaint as to billing
5 and charges in Harvey, Illinois.

6 Will the parties identify themselves
7 for the record, including their address and telephone
8 number.

9 MS. CHATAQUAKA POLK: Chataquaka Polk, 14530
10 South Halsted, Apartment 2, Harvey, Illinois 60426,
11 (708) 297-6533.

12 MS. GRAHAM: On behalf of Commonwealth Edison
13 Company, Rebecca Graham, 115 South LaSalle Street,
14 Suite 2600, Chicago, Illinois 60603. My telephone
15 number's (312) 505-8154.

16 MR. GOLDSTEIN: Also for Commonwealth Edison
17 Company, Mark L. Goldstein, 3019 Province Circle,
18 Mundelein, Illinois 60060. My telephone number is
19 (847) 949-1340.

20 JUDGE KIMBREL: Okay. And who will be
21 testifying today?

22 MS. GRAHAM: On behalf of ComEd we have Byron

1 Geib.

2 JUDGE KIMBREL: Mr. Geib, would you raise your
3 right hand.

4 (Witness sworn.)

5 JUDGE KIMBREL: Thank you.

6 And Ms. Polk, you will also be
7 testifying on your own behalf. Would you please
8 raise your right hand.

9 (Witness sworn.)

10 JUDGE KIMBREL: Okay. Thank you.

11 And Ms. Polk, you're prepared to go to
12 trial today on this matter?

13 MS. CHATAQUAKA POLK: Yes, I am.

14 JUDGE KIMBREL: And do you have whatever
15 documents and -- I don't think you brought any
16 witnesses with you.

17 Do you have everything that you need
18 to proceed today?

19 MS. CHATAQUAKA POLK: I don't have everything.

20 JUDGE KIMBREL: Okay.

21 MS. CHATAQUAKA POLK: I requested information
22 from Rebecca on the 17th. I --

1 JUDGE KIMBREL: Of April?

2 MS. CHATAQUAKA POLK: Of April.

3 I gave her an e-mail address -- an
4 e-mail. It was at 12:53 that day. I didn't get a
5 response back. I checked for my e-mail that weekend.
6 There was still no response.

7 JUDGE KIMBREL: Ms. Polk, what did you request?

8 MS. CHATAQUAKA POLK: I requested information
9 concerning what was in my report from ComEd.

10 JUDGE KIMBREL: And what report is that?

11 MS. CHATAQUAKA POLK: What the representative
12 would see when they pull up my information and read
13 from that. I requested that information on the 20th.
14 I called around 9:00 in the morning, and I asked -- I
15 told her who I was. I asked her, did she get my
16 e-mail. She said she did --

17 JUDGE KIMBREL: Uh-huh.

18 MS. CHATAQUAKA POLK: -- but she didn't know
19 what I was asking for.

20 So then I told her what I just told
21 you, the information that the representative would
22 see when they -- when I call, and they would read it

1 off on the report.

2 JUDGE KIMBREL: Do you mean a screen shot?

3 I'm not sure exactly what

4 report -- Ms. Graham, do you know what report, Ms...

5 MS. GRAHAM: Ms. Polk, I'm a little confused.

6 We did have two telephone conversations, and you

7 e-mailed me and you asked me to send you that

8 information via U.S. Mail, not via e-mail.

9 MS. CHATAQUAKA POLK: Yes, I understand.

10 MS. GRAHAM: And I did put it in the mail, so

11 I --

12 MS. CHATAQUAKA POLK: I did not receive that.

13 MS. GRAHAM: Well, I also said that if you

14 didn't receive it in the next few days, that I would

15 be happy to forward it to you via e-mail, and I never

16 heard anything. So I assumed you got it.

17 MS. CHATAQUAKA POLK: No, I didn't receive it.

18 MS. GRAHAM: Well, what I had sent was a copy

19 of the Activity Statement, which we -- we're going to

20 present as evidence today, which is right here. I

21 also sent the copies of the actual bills and I sent a

22 Meter Report. I should have a copy -- we weren't

1 going to introduce it into evidence, but that was
2 also in the packet that I sent to Ms. Polk last week.
3 So I don't know if you want to take time to review
4 it.

5 JUDGE KIMBREL: Yeah, Ms. -- let's go off the
6 record.

7 (A discussion was held off
8 the record.)

9 JUDGE KIMBREL: We're back on the record.

10 So Ms. Polk had an opportunity to
11 review the information that Ms. Graham mailed to her,
12 and Ms. Polk has determined that she's still prepared
13 to go to trial.

14 Is that correct?

15 MS. CHATAQUAKA POLK: Yes, I am.

16 JUDGE KIMBREL: Okay. So, Ms. Polk, I want to
17 give you an opportunity to explain the nature of your
18 complaint, and then the Company will have an
19 opportunity to ask questions of you. And then the
20 Company will present their case and their
21 witness -- excuse me -- and you'll have an
22 opportunity to ask questions of their witness. You

1 will also be able to present whatever evidence you
2 would like to present, and Ms. Graham will do the
3 same.

4 So, Ms. Polk, why don't you let us
5 know what the nature of your claim is -- well,
6 really, let's start with the time frame. If you
7 could give us the time frame of your complaint. And
8 I know that it's surrounding your 14530 South
9 Halsted, Apartment 2 residence in Harvey, Illinois
10 60426; is that correct?

11 MS. CHATAQUAKA POLK: Yes.

12 JUDGE KIMBREL: Okay. What is the time frame
13 for your complaint? From what time to what time are
14 you concerned about the billing?

15 MS. CHATAQUAKA POLK: April of 2014 until now.

16 JUDGE KIMBREL: Until now.

17 And what are you saying occurred in
18 April of 2014 until the current date?

19 MS. CHATAQUAKA POLK: I have been billed
20 estimated and actual bills -- readings and been
21 charged for the actual -- the estimated and actual
22 readings on my bills.

1 JUDGE KIMBREL: It's not your fault, but can
2 you repeat that for me. I'm sorry.

3 What did you say?

4 MS. CHATAQUAKA POLK: My complaint is about
5 ComEd billing me off of estimated and actual
6 readings.

7 JUDGE KIMBREL: Okay. From April 2014 until
8 the current time? So --

9 MS. CHATAQUAKA POLK: Yes.

10 JUDGE KIMBREL: So you're saying all of your
11 bills from April 2014 until the current time were
12 estimated reads?

13 MS. CHATAQUAKA POLK: Estimated and actual.

14 JUDGE KIMBREL: Okay. So you have a problem
15 with the estimated reads or with the actual reads?

16 MS. CHATAQUAKA POLK: With both.

17 Prior to this, I was being billed for
18 actual readings?

19 JUDGE KIMBREL: Prior to April of 2014?

20 MS. CHATAQUAKA POLK: Yes.

21 JUDGE KIMBREL: All of your reads were actual?

22 MS. CHATAQUAKA POLK: Yes.

1 JUDGE KIMBREL: Okay. And so
2 each -- from -- why don't you go into a little bit
3 more detail. When you say from April 2014 until the
4 current time, I understand that you're saying that
5 their -- the reads, both estimated and actual; but if
6 you can kind of go into detail --
7 MS. CHATAQUAKA POLK: Okay.
8 JUDGE KIMBREL: -- a little bit more detail as
9 far as where your issues are and what monies we're
10 talking about here.
11 MS. CHATAQUAKA POLK: Okay. In April I
12 received a letter from ComEd stating --
13 JUDGE KIMBREL: This is April 2014?
14 MS. CHATAQUAKA POLK: Yes.
15 JUDGE KIMBREL: Okay.
16 MS. CHATAQUAKA POLK: Hold on. Hold on. Let
17 me see for sure here.
18 I don't have that letter with me. In
19 May, on the 8th, 2014, I received letters -- May 8th
20 and May 9th -- stating that I needed to have my meter
21 switched.
22 JUDGE KIMBREL: And were your meters

1 switched --

2 MS. CHATAQUAKA POLK: Yes, they were.

3 JUDGE KIMBREL: -- or replaced?

4 MS. CHATAQUAKA POLK: They were switched on the

5 6th -- 5/6/14.

6 JUDGE KIMBREL: On May 6 --

7 MS. CHATAQUAKA POLK: Yes.

8 JUDGE KIMBREL: -- they were switched?

9 MS. CHATAQUAKA POLK: Yes.

10 JUDGE KIMBREL: So you received the letters

11 after?

12 MS. CHATAQUAKA POLK: Yes.

13 JUDGE KIMBREL: After your meter -- you only

14 have the one meter; is that right?

15 MS. CHATAQUAKA POLK: Yes, I do.

16 JUDGE KIMBREL: Okay. So are you saying all

17 your issues began when your meter was replaced?

18 MS. CHATAQUAKA POLK: Switched. Yes.

19 JUDGE KIMBREL: Yeah.

20 Now, did you have the meter inspected

21 after you -- did you make any complaints to the

22 Company about the meter?

1 MS. CHATAQUAKA POLK: Yes, I did. I made
2 complaints -- May -- no.

3 At that particular time, ComEd came
4 out again.

5 JUDGE KIMBREL: Do you know -- you're
6 talking about -- when you say "that particular time,"
7 we're talking about May 6th?

8 MS. CHATAQUAKA POLK: Yes, May 6th.

9 JUDGE KIMBREL: 2014?

10 MS. CHATAQUAKA POLK: Yes. After that a female
11 technician came out. She switched -- on 5/21/2014,
12 she put in new meters.

13 JUDGE KIMBREL: So if I understand you
14 correctly, your meters were replaced twice: once on
15 May 6th in 2014 and once on -- and again on May 21st
16 of 2014?

17 MS. CHATAQUAKA POLK: No.

18 JUDGE KIMBREL: Okay.

19 MS. CHATAQUAKA POLK: Okay. So May 6th, that
20 was when they were switched. African-American male
21 came in. He was training someone. I have to let
22 them in -- into the building in order for them to get

1 to the meters. I stayed while they put in the
2 meters. They switched -- he switched the meters. He
3 didn't replace them, he switched them. So with my
4 apartment, which was -- is Apartment 2 --
5 JUDGE KIMBREL: Uh-huh.
6 MS. CHATAQUAKA POLK: -- he switched it with
7 Apartment 3.
8 JUDGE KIMBREL: Okay. That was on May 6th?
9 MS. CHATAQUAKA POLK: Yes.
10 JUDGE KIMBREL: Okay.
11 MS. CHATAQUAKA POLK: Now, moving forward,
12 5/21/2014, a female technician came in and she put in
13 new meters.
14 JUDGE KIMBREL: Okay.
15 MS. CHATAQUAKA POLK: Okay. So then there
16 wasn't any problem. And then August -- the second
17 week of August a new --
18 JUDGE KIMBREL: Of 2014 still?
19 MS. CHATAQUAKA POLK: Of 2014 --
20 Another female technician came in, and
21 she says she was intending to put in new meters. She
22 saw the meters, and she said she didn't have to put

1 them in because they were already new.

2 JUDGE KIMBREL: Okay.

3 MS. CHATAQUAKA POLK: She also -- she also said

4 that back at ComEd my meter was reading in the

5 thousands.

6 JUDGE KIMBREL: That's what this technician

7 told you in mid August of 2014 when she looked at

8 your meters and was going to replace them?

9 MS. CHATAQUAKA POLK: Yes.

10 JUDGE KIMBREL: Okay.

11 MS. CHATAQUAKA POLK: But she did not because

12 she saw they were new.

13 JUDGE KIMBREL: Okay.

14 MS. CHATAQUAKA POLK: Okay. So she

15 said -- after she said it was reading in the

16 thousands, she said that I would need a meter

17 adjustment.

18 JUDGE KIMBREL: Okay.

19 MS. CHATAQUAKA POLK: She also said that a

20 meter reader tried to read my meter and he was unable

21 to read it.

22 JUDGE KIMBREL: Okay.

1 MS. CHATAQUAKA POLK: I then called ComEd
2 because I received a bill.

3 JUDGE KIMBREL: When did you call, Ms. Polk?

4 MS. CHATAQUAKA POLK: I called sometime in
5 September.

6 JUDGE KIMBREL: Okay.

7 MS. CHATAQUAKA POLK: September 8th. And
8 then --

9 JUDGE KIMBREL: You called September 8th?

10 MS. CHATAQUAKA POLK: Yes. And that's when I
11 spoke to two representatives and a supervisor.

12 JUDGE KIMBREL: Do you happen to have their
13 names?

14 MS. CHATAQUAKA POLK: No, I do not.

15 JUDGE KIMBREL: Do you have the names of the
16 technicians that came on those three separate dates?

17 MS. CHATAQUAKA POLK: No, I don't. I believe
18 the first technician that came in, her name was Kathy
19 (phonetic) because the second technician asked
20 when -- also, she asked when were the new meters put
21 in -- who put them in, and I told her the description
22 of the person. And she said, I know who you're

1 talking about, you're talking about Kathy.

2 JUDGE KIMBREL: Okay. So that was in -- that

3 was May, May 8th.

4 MS. CHATAQUAKA POLK: No, that was -- that

5 was --

6 JUDGE KIMBREL: That was the May 21st --

7 MS. CHATAQUAKA POLK: -- August.

8 JUDGE KIMBREL: Oh, August. Okay.

9 MS. CHATAQUAKA POLK: That was in August.

10 JUDGE KIMBREL: Okay. So you're saying it may

11 have been Kathy that came on May 21st to switch the

12 meters -- to replace them.

13 MS. CHATAQUAKA POLK: To -- yes.

14 JUDGE KIMBREL: All right. So you made the

15 call in September -- on September 8th, and you called

16 regarding your account.

17 And what happened as a result of that

18 call?

19 MS. CHATAQUAKA POLK: The first representative,

20 he was -- he had a very nasty attitude. We were

21 going back and forth, arguing back and forth about

22 the dates upon which the new meters were put in. And

1 I told him the date was 5/21/14, and he said no, it's
2 not. And we're both going, "Yes, it is." "No, it's
3 not." "Yes, it is."

4 So I said, "What is in my report"? He
5 says, with an attitude, something. So then I
6 asked -- I said, "It's clear you can't help me." I
7 said, "Can I speak to your supervisor?" So then he
8 went on to get the supervisor.

9 After that, I waited. I couldn't wait
10 any longer, so I called again. I spoke to a second
11 representative. She was very nice and handled the
12 situation like she should have -- like the first one
13 should have. And I asked her, you know, what was in
14 my report and she said the same thing that the first
15 one said, that the new meters were put in in August.

16 JUDGE KIMBREL: Uh-huh.

17 MS. CHATAQUAKA POLK: So she says that she was
18 going to send, you know, a -- get the supervisor for
19 me. And I waited for the supervisor and proceeded to
20 talk to her about the bill. And she said that I was
21 wrongly informed about the billing, how the billing
22 payment was. I spoke to -- then she also said that

1 she would have to look at the bill, my billing
2 history, and that she would call me back the next day
3 on September 9th of 2014.

4 JUDGE KIMBREL: And did she call you back?

5 MS. CHATAQUAKA POLK: No, she did not. I
6 received a bill after that.

7 JUDGE KIMBREL: Okay. Was your -- was
8 your -- did you ever get the meter adjustment?

9 MS. CHATAQUAKA POLK: I got the meter
10 adjustment only after I had to go to Illinois
11 Commerce Commission --

12 JUDGE KIMBREL: Okay.

13 MS. CHATAQUAKA POLK: -- for their hand to be
14 moved to give me a meter adjustment.

15 JUDGE KIMBREL: When did the meter adjustment
16 take place?

17 MS. CHATAQUAKA POLK: It took place in
18 (reading). I waited -- September -- maybe sometime
19 in November.

20 JUDGE KIMBREL: Of 2014?

21 MS. CHATAQUAKA POLK: Yes.

22 JUDGE KIMBREL: Would you like to go back and

1 tell me what happened after your conversations in
2 September of 2014?

3 Between September and November, is
4 there anything you would like to add during that time
5 frame regarding your account and the meters -- and
6 your meter.

7 MS. CHATAQUAKA POLK: At that time I
8 had -- they had called -- I had received a call
9 stating -- from the automated service stating that I
10 had to pay the bill. I call- --

11 JUDGE KIMBREL: What bill is this?

12 MS. CHATAQUAKA POLK: \$1,949.45.

13 JUDGE KIMBREL: What was the date of that bill?

14 MS. CHATAQUAKA POLK: It says 11/12/14.

15 JUDGE KIMBREL: Okay.

16 MS. CHATAQUAKA POLK: Okay. So then I spoke to
17 a represent- -- I spoke to a supervisor.

18 JUDGE KIMBREL: And when was this, Ms. Polk?

19 MS. CHATAQUAKA POLK: This was -- this was
20 bef- -- this was when I had to -- okay. The meter
21 adjustment, she came in -- that was in August.

22 September, I made the call. November -- I had waited

1 a couple -- there were -- I called the
2 representative. They were put on a -- I would tell
3 them about me having to have a meter adjustment and
4 everything trans- -- which transpired with the second
5 technician who said that I needed a meter adjustment.
6 I was told that they would have to look at my billing
7 and then they would get back with me. Now, that
8 happened for at least three weeks.

9 JUDGE KIMBREL: Okay. Now, when is this? When
10 is this? What time frame are we looking at for when
11 that occurred?

12 MS. CHATAQUAKA POLK: Around in November.

13 JUDGE KIMBREL: Okay.

14 MS. CHATAQUAKA POLK: And so then, after that,
15 that's when I called Illinois Commerce Commission.
16 And so then, that was when I was able to get a meter
17 adjustment.

18 JUDGE KIMBREL: Okay. And was your -- and
19 your meter was adjusted in November of 2014?

20 MS. CHATAQUAKA POLK: Yes.

21 JUDGE KIMBREL: Now, did you have problems with
22 your meter readings after your meter adjustment in

1 November of 2014?

2 MS. CHATAQUAKA POLK: They were all actual
3 readings.

4 JUDGE KIMBREL: So from of November 2014 until
5 the current time, all of your readings have been
6 actual?

7 MS. CHATAQUAKA POLK: Yes.

8 JUDGE KIMBREL: And do you feel that those
9 readings are accurate? Do you have a problem with
10 those readings?

11 MS. CHATAQUAKA POLK: Yes, I do.

12 JUDGE KIMBREL: And did you call the Company
13 about those actual readings just to state whatever
14 your complaint was regarding them?

15 MS. CHATAQUAKA POLK: No, at that point in time
16 I was in court, going through -- so I didn't call and
17 ask why my bills were this high.

18 JUDGE KIMBREL: Uh-huh.

19 Had they not been as high before?

20 MS. CHATAQUAKA POLK: No.

21 JUDGE KIMBREL: At what point -- at what date
22 did you think that your bills were normal as opposed

1 to being too high? Is there a time frame when things
2 changed?

3 MS. CHATAQUAKA POLK: Well, the time that it
4 changed was -- it was when I got the bill of \$15.67
5 and which I had paid and it was in the red.

6 JUDGE KIMBREL: I'm not following.

7 Could you state that one more time.

8 MS. CHATAQUAKA POLK: This was in March.

9 JUDGE KIMBREL: Uh-huh. Of 2014?

10 MS. CHATAQUAKA POLK: Of 2014.

11 I received the bill of \$15.67, and it
12 was in the red.

13 JUDGE KIMBREL: When you say "in the red,"
14 you're saying that you still owed money on the
15 account?

16 MS. CHATAQUAKA POLK: I didn't know what was
17 going on because it was estimated and it was in the
18 red.

19 JUDGE KIMBREL: Okay. Are you saying
20 that -- that's when the problems occurred? Or I'm
21 not --

22 MS. CHATAQUAKA POLK: Yes, that's when the

1 problems occurred.

2 JUDGE KIMBREL: In March of 2014.

3 Okay. So in February of 2014, would

4 your bill have been what you would have considered a

5 normal bill?

6 MS. CHATAQUAKA POLK: I thought it was.

7 JUDGE KIMBREL: And what was your meter reading

8 in February of 2014?

9 MS. CHATAQUAKA POLK: It was

10 reading -- February...

11 JUDGE KIMBREL: You can also tell me the amount

12 of your bill.

13 MS. CHATAQUAKA POLK: Okay. The amount due at

14 that time -- and this was in --

15 JUDGE KIMBREL: For the month, right?

16 MS. CHATAQUAKA POLK: For February -- this was

17 February 17th --

18 JUDGE KIMBREL: Uh-huh.

19 MS. CHATAQUAKA POLK: -- 2014.

20 JUDGE KIMBREL: Okay.

21 MS. CHATAQUAKA POLK: The amount due in March

22 was \$13.75.

1 JUDGE KIMBREL: Okay. And are you able to tell
2 from looking at that bill what your meter was reading
3 at? I think before you said -- you informed me in
4 August of 2014 that the meter was reading in the
5 thousands, so I'm trying to figure out what your
6 meter may have been reading in February of 2014.

7 MS. CHATAQUAKA POLK: February 2014, it was
8 estimated.

9 JUDGE KIMBREL: Uh-huh. And what was the
10 estimated reading?

11 If you're not able to tell, that's
12 okay.

13 MS. CHATAQUAKA POLK: Okay. So it's the number
14 before the estimate -- the word "estimate"?

15 JUDGE KIMBREL: Uh-huh.

16 MS. CHATAQUAKA POLK: Okay. So it's 8768.

17 JUDGE KIMBREL: I just want you to know when I
18 said "Uh-huh," I am not really sure because I'm not
19 looking at the bill.

20 MS. CHATAQUAKA POLK: Oh. I'm sorry.

21 JUDGE KIMBREL: So...

22 MS. CHATAQUAKA POLK: I am so sorry.

1 JUDGE KIMBREL: I'm just asking for you to tell
2 me what you -- what you're seeing there. I'm sure
3 Ms. Graham will...

4 MS. CHATAQUAKA POLK: Excuse me.

5 JUDGE KIMBREL: Thanks, Ms. Polk.

6 (Tendered.)

7 MS. CHATAQUAKA POLK: The first part, those are
8 the bills that -- from 1 through 10, those are the
9 bills that I was being billed actual bills.

10 JUDGE KIMBREL: Okay. Ms. Polk, now, you
11 handed Ms. Graham and myself two stapled --

12 MS. CHATAQUAKA POLK: Yes.

13 JUDGE KIMBREL: -- documents.

14 And you're explaining to me what each
15 group is.

16 MS. CHATAQUAKA POLK: Yes.

17 JUDGE KIMBREL: Okay. Now, what are you saying
18 that they are?

19 MS. CHATAQUAKA POLK: The first group from 1 to
20 10 -- numbered 1 through 10 --

21 JUDGE KIMBREL: And which -- which one is that?

22 MS. CHATAQUAKA POLK: It should be the top one,

1 the number -- that's the second one, that's 11.

2 JUDGE KIMBREL: Oh, I see. I see. You have it
3 in the right corner. Okay.

4 MS. CHATAQUAKA POLK: Okay. So --

5 JUDGE KIMBREL: Okay. So Group 1. Okay.

6 MS. CHATAQUAKA POLK: Those are the bills that
7 were actual bills that I paid prior to this.

8 JUDGE KIMBREL: Prior to...?

9 MS. CHATAQUAKA POLK: The estimated and actual
10 billings.

11 JUDGE KIMBREL: Now, say that for me one more
12 time, Ms. Polk. I apologize.

13 What is the Group 1 stapled documents?
14 What are you saying that this is again?

15 MS. CHATAQUAKA POLK: From 1 to 10 -- the
16 stapled documents from 1 to 10, those are the bills
17 that were actual bills before I start receiving
18 estimated and actual bills.

19 JUDGE KIMBREL: I see.

20 So the first stapled document is
21 1 through 10, and then the second group of stapled
22 documents is 11 through --

1 MS. CHATAQUAKA POLK: 11 through 20- --

2 JUDGE KIMBREL: 3, is it?

3 MS. CHATAQUAKA POLK: 23.

4 JUDGE KIMBREL: Okay. I understand now.

5 Okay. You can continue to explain

6 what you...

7 MS. CHATAQUAKA POLK: Okay. So that was when I

8 received -- the \$15.67, that's when I have received

9 nothing but estimated and actual readings. So then I

10 had a problem with the billing, and that was my first

11 time calling Illinois Commerce Commission.

12 JUDGE KIMBREL: Which was in November --

13 MR. GOLDSTEIN: No.

14 JUDGE KIMBREL: -- of 2014?

15 MS. CHATAQUAKA POLK: No. That was in 2013,

16 April.

17 JUDGE KIMBREL: In April of 2013, you called

18 the Commerce Commission?

19 MS. CHATAQUAKA POLK: For the first time.

20 JUDGE KIMBREL: About what?

21 MS. CHATAQUAKA POLK: About my bills being

22 estimated and actual bills.

1 JUDGE KIMBREL: Okay. So that's almost a year
2 before you said you had the problem though.

3 MS. CHATAQUAKA POLK: Okay. So in between that
4 time, I had spoke -- at that time, somewhere
5 around -- April was when -- at that point in time I
6 was going back and forth with ComEd because of the
7 estimated and actual billing. And so there was a
8 payment plan that was I supposed to be on, and that
9 began on -- that was March of 2014.

10 JUDGE KIMBREL: Okay. So you're saying in
11 March of 2014 you went on a payment plan with
12 ComEd --

13 MS. CHATAQUAKA POLK: Yeah.

14 JUDGE KIMBREL: -- regarding your account?

15 MS. CHATAQUAKA POLK: Yes.

16 JUDGE KIMBREL: So when you called the
17 Commission -- when you called the Commission,
18 Ms. Polk, in April 2013 regarding your estimated and
19 actual reads, were you satisfied with whatever
20 resulted from that call in your conversation with
21 ComEd?

22 Because I think you stated that your

1 issue here today runs from April of 2014 until
2 today's date. So I'm not really understanding what
3 happened in April of 2013 and how that may relate to
4 this matter.

5 MS. CHATAQUAKA POLK: Okay. So when I
6 received -- this is when I received the -- I had
7 received the letter, stating that the meters needed
8 to be switched. There was a mixed-meter situation.

9 Okay. So --

10 JUDGE KIMBREL: The letter was April of 2014?

11 MS. CHATAQUAKA POLK: Yes.

12 In May, that was when they put
13 the -- they switched the meters on the 6th. So that
14 was my first time because I was -- that's when I
15 started receiving estimated bills, and I rece- --
16 wondering why because with my previous bills, they
17 were actual readings.

18 So then I had a problem with it
19 because I had received a bill of \$15.67 and it was in
20 the red, and that was estimated.

21 JUDGE KIMBREL: Okay. So I think if we
22 fast-forward to November when you had -- of 2014 when

1 you had your meter adjustment, you then stated that
2 you got an automated call regarding a bill in
3 November of 2014, same month, a bill somewhere in the
4 thousands -- a thousand dollars or more. And then
5 you said you called the Commission, the Commerce
6 Commission, and from November until -- of 2014 until
7 the current time, you've had actual readings.

8 So is there anything that you need to
9 explain to us from November until the current time
10 regarding your account?

11 MS. CHATAQUAKA POLK: From November of...

12 JUDGE KIMBREL: 2014, until today's date.

13 MS. CHATAQUAKA POLK: So November, I have been
14 getting nothing but actual readings, and my bills
15 have been outrageous.

16 JUDGE KIMBREL: What -- okay.

17 So in November of 2014, what was your
18 bill for that month?

19 MS. CHATAQUAKA POLK: For November, that was
20 \$1,949.45, and that was an actual reading.

21 JUDGE KIMBREL: Now, was that bill just for one
22 month?

1 MS. CHATAQUAKA POLK: Okay. So it says, "New
2 Current Charges, 12/4/14." That was \$222.91. Then
3 it says in the middle of the paper -- of the bill,
4 "106- -- current charges, \$106.71."

5 JUDGE KIMBREL: And it's that amount of \$106.71
6 that you said is more expensive than what you had
7 been paying previously?

8 MS. CHATAQUAKA POLK: Yes, it is.

9 JUDGE KIMBREL: So prior to that, your
10 bill -- so your bills had normally been about a
11 little less than \$20 and then they ballooned to \$100
12 or more.

13 Is that what you're telling me?

14 MS. CHATAQUAKA POLK: Yes.

15 JUDGE KIMBREL: And the balance in November
16 2014 of \$1,900, what was that? Why is your bill so
17 high there?

18 MS. CHATAQUAKA POLK: Okay. So 106, I
19 understand -- that's a doable price. The point of
20 the fact is, they kept billing me and it added up
21 every -- ever since the first bill that was
22 estimated.

1 JUDGE KIMBREL: Which was when?

2 MS. CHATAQUAKA POLK: Which goes back to the
3 \$15.67.

4 JUDGE KIMBREL: In March of 2014?

5 MS. CHATAQUAKA POLK: Yes.

6 JUDGE KIMBREL: Okay.

7 MS. CHATAQUAKA POLK: That's when it was
8 estimated, and that's when I only -- I received
9 estimated and actual readings on my bills.

10 JUDGE KIMBREL: Is there anything else that you
11 want to tell us about your account from November
12 until the current date outside of the fact that the
13 readings and the billing are incorrect?

14 MS. CHATAQUAKA POLK: I also -- for
15 November -- I feel that I've been billed with the
16 amount -- it is outrageous because now they're actual
17 readings, and previously there were estimated
18 and -- they were estimated mixed in with the actual.

19 JUDGE KIMBREL: Uh-huh. So are you saying that
20 the meter is not reading correctly?

21 MS. CHATAQUAKA POLK: No. I don't believe so.

22 JUDGE KIMBREL: Has the meter ever -- has

1 anyone ever come out to read your meter again?

2 MS. CHATAQUAKA POLK: Yes, they have.

3 JUDGE KIMBREL: And when did that occur?

4 MS. CHATAQUAKA POLK: They have -- I don't

5 have -- actually, they were out last month.

6 JUDGE KIMBREL: And what's that? April of

7 2015?

8 MS. CHATAQUAKA POLK: Yes.

9 JUDGE KIMBREL: Now, you said what?

10 Representatives of the Company -- a technician came

11 and he --

12 MS. CHATAQUAKA POLK: Meter reader.

13 JUDGE KIMBREL: Okay. He read the meter.

14 MR. GOLDSTEIN: Judge, I guess, for the record,

15 we'd like to impose an objection.

16 As we read Ms. Polk's Complaint, she

17 says nothing about the meter readings. So what she's

18 doing is in effect trying to, I guess, amend the

19 complaint which she should -- probably should have

20 done prior to this time.

21 You know, when we come to these

22 hearings we are prepared to discuss the facts and

1 circumstances contained in the Complaint. And, you
2 know, her Complaint was filed back in October of 2014
3 and dealt with the prior five months of that year.
4 And so, you know, this is outside the scope of her
5 Complaint, and we ask that any discussion of that be
6 stricken.

7 JUDGE KIMBREL: Ms. Polk, do you have a
8 response?

9 I know that you filed your Complaint
10 on August -- or October of 2014. And then you
11 responded to the Company's Motion to Dismiss, I
12 think, on December 24th of 2014.

13 Do you have a response, Ms. Polk?

14 MS. CHATAQUAKA POLK: Yes, I do.

15 JUDGE KIMBREL: Okay.

16 MS. CHATAQUAKA POLK: Because it's dated
17 12/15/14 when I wrote the letter to the Chief Clerk.
18 And I put on here on May 24th, "on May 21st, a female
19 technician put in a new meter for my apartment. I
20 watched her put it in, which was a week after
21 mixed-meter situation. She told me that the meters
22 she was putting in were obsolete, but was still a

1 good meter. But would still give a problem later
2 on."

3 This is what I sent to -- and this is
4 my rough draft.

5 MR. GOLDSTEIN: I guess we stand by our
6 objection, Judge. I don't think her response adds
7 anything to the record, and it falls in her response
8 on -- in December of 2014 is in line with her general
9 Complaint that she filed in October.

10 And so we ask that any discussion
11 subsequent to October of 2014 and about her billing
12 be stricken.

13 JUDGE KIMBREL: So, Counsel, you're saying the
14 time frame for Ms. Polk's Complaint is, what, based
15 upon her Complaint --

16 MR. GOLDSTEIN: From April 2000- --

17 JUDGE KIMBREL: -- and her Response that was
18 later filed?

19 MR. GOLDSTEIN: From March 18th, 2014, to
20 October 20th when she filed her formal Complaint.

21 JUDGE KIMBREL: I think that based upon what
22 Mrs. Polk has testified to thus far, that's probably

1 a pretty accurate statement regarding the time frame
2 we're looking at here.

3 Because I think, Ms. Polk, you stated
4 that March of 2014 you had a bill of \$15.67 and it
5 was thereafter that you had issues with the reads.

6 Is that an accurate statement,
7 Ms. Polk?

8 MS. CHATAQUAKA POLK: Yes, it is.

9 JUDGE KIMBREL: Okay. Well, let's restrict
10 the -- let's grant the Company's request and the time
11 frame that we are looking at here in this Complaint
12 is from March of 2014 until the date that Ms. Polk
13 filed her Complaint.

14 Ms. Polk, is there anything else you
15 would like to add?

16 MS. CHATAQUAKA POLK: I would like to add that
17 I have proof that ComEd lied in my report --

18 JUDGE KIMBREL: What report?

19 MS. CHATAQUAKA POLK: -- concerning --

20 JUDGE KIMBREL: What report is this?

21 MS. CHATAQUAKA POLK: -- concerning what the
22 representative pulls up and reads off of the computer

1 when a customer calls for their information. I
2 specifically went back and forth --

3 JUDGE KIMBREL: When did this occur?

4 MS. CHATAQUAKA POLK: This was September 8th,
5 2014.

6 JUDGE KIMBREL: Okay. You called the Company
7 and you spoke with a representative and --

8 MS. CHATAQUAKA POLK: Yes.

9 JUDGE KIMBREL: What are you saying occurred?

10 MS. CHATAQUAKA POLK: And I told them that the
11 meter was put in on 5/21/14.

12 JUDGE KIMBREL: Okay. And they stated that it
13 wasn't. I think you talked about this.

14 MS. CHATAQUAKA POLK: And they stated that it
15 wasn't, and I have proof to show that the meters were
16 put in on 15/21/2014 [SIC].

17 JUDGE KIMBREL: Okay. On May 21st, 2014, there
18 were new meters put in.

19 What is your proof?

20 MS. CHATAQUAKA POLK: The proof here is
21 87- -- I'm sorry.

22 What was your name?

1 MR. BYRON GEIB: Byron.

2 MS. CHATAQUAKA POLK: Byron pointed out to me
3 that the new meters were put in 8/7/14, which was
4 incorrect.

5 JUDGE KIMBREL: What is your proof that the
6 meters were actually placed at your residence on May
7 21st of 2014?

8 MS. CHATAQUAKA POLK: I have pictures to show.

9 JUDGE KIMBREL: Now, did you print copies of
10 those pictures or --

11 MS. CHATAQUAKA POLK: No. This is my
12 number. My correct meter number is on here also.

13 JUDGE KIMBREL: But -- okay.

14 What -- I'm pretty sure the Company
15 will probably address when these -- from their point
16 of view, when the meters were switched and replaced.
17 You don't have a letter or you don't have a -- I'm
18 not sure what you have on your phone, but I don't
19 think -- I'm sure the Company's going to object to
20 you trying to present any kind of evidence based upon
21 some pictures you have on your phone. You probably
22 would have wanted to have printed those and presented

1 those as exhibits.

2 Now, maybe you could state instead

3 what you're trying to show on your telephone.

4 MS. CHATAQUAKA POLK: 5/21/14 --

5 JUDGE KIMBREL: Uh-huh.

6 MS. CHATAQUAKA POLK: -- was the -- is the

7 sticker that was on the meter -- the new meter that

8 was put in. Her name was Kathy.

9 JUDGE KIMBREL: What -- what's this -- what's

10 this sticker though? What is this --

11 MS. CHATAQUAKA POLK: It's a white sticker with

12 blue writing.

13 JUDGE KIMBREL: And what does it say on the

14 sticker?

15 MS. CHATAQUAKA POLK: And on the sticker it

16 says 5/21/14, Apartment 2, my new meter number, which

17 is 5- -- I'm sorry -- which is 995154086, and it has

18 her name, Kathy.

19 JUDGE KIMBREL: So the new met- -- excuse

20 me -- The new meter number is 995154086?

21 MS. CHATAQUAKA POLK: Yes.

22 JUDGE KIMBREL: And what's the old meter

1 number?

2 MS. CHATAQUAKA POLK: The old meter number was

3 997- --

4 JUDGE KIMBREL: 997- --

5 MS. CHATAQUAKA POLK: -- 789 --

6 JUDGE KIMBREL: -- 789 --

7 MS. CHATAQUAKA POLK: 729.

8 JUDGE KIMBREL: -- 729. Okay.

9 Do you have any more proof that you'd

10 like to present regarding the fact that the new meter

11 was installed on May 21st of 2014?

12 MS. CHATAQUAKA POLK: That's it.

13 JUDGE KIMBREL: Okay. Is there anything else

14 you would like to discuss before Ms. Graham asks

15 questions of you or presents her case?

16 MS. CHATAQUAKA POLK: No.

17 JUDGE KIMBREL: Okay. Regarding the two sets

18 of documents that you gave me, would you like to move

19 these into evidence or...

20 MS. CHATAQUAKA POLK: Yes, I would.

21 JUDGE KIMBREL: Okay. Do you want to mark the

22 first group Group Exhibit 1?

1 MS. CHATAQUAKA POLK: Yes.

2 JUDGE KIMBREL: And maybe the second group

3 Group Exhibit 2?

4 MS. CHATAQUAKA POLK: Yes.

5 (Group Exhibit Nos. 1 and 2

6 were marked for

7 identification.)

8 JUDGE KIMBREL: Is there any objection to

9 Ms. Polk's entering Group Exhibit 1 and Group Exhibit

10 2 into the record?

11 MS. GRAHAM: Judge, the Company will stipulate

12 that the documents speak for themselves with the

13 exception of all the handwritten notes on the

14 document. We don't know who made those notes or what

15 the basis of those notes are; but as far as the

16 actual billings, there's no objection to having that

17 entered into evidence.

18 JUDGE KIMBREL: Okay. That being the case,

19 Ms. Polk, Group Exhibit 1 and Group Exhibit 2 will be

20 entered into the record.

21 (Group Exhibit Nos. 1 and 2

22 were entered into evidence.)

1 JUDGE KIMBREL: Okay, Ms. Graham, I think --

2 MS. GRAHAM: I just have a couple questions on

3 cross, Judge.

4 JUDGE KIMBREL: Okay.

5 CHATAQUAKA POLK,

6 called as a witness herein, having been first duly

7 sworn, was examined and testified as follows:

8 CROSS-EXAMINATION

9 BY

10 MS. GRAHAM:

11 Q Ms. Polk, you talked about some issues you

12 have with your bills from March 18th of 2014 through

13 the date of your filing of your formal Complaint of

14 October 20th of 2014, but it's unclear what amount

15 you're disputing.

16 Can you tell me what amount -- dollar

17 amount you're disputing you owe the Company?

18 A I am disputing the -- being billed on

19 estimated and actual bills. That's what I'm

20 disputing. My bills prior to this were actual bills,

21 and I was paying actual bills.

22 JUDGE KIMBREL: I think what Ms. Graham is

1 really asking is that if you could -- what is the
2 dollar amount.

3 MS. GRAHAM: Yes.

4 BY MS. GRAHAM:

5 Q What is the dollar amount that you feel is
6 incorrect?

7 A All of the outstanding bills. All of them.

8 Q All of them from March 18th of 2014 through
9 October 20th of 2014?

10 A All of them from April -- because \$15.67,
11 that was when it was estimated. The problem lied
12 with the \$356.22 which was outstanding when it jumped
13 from \$15 -- it jumped from \$15.67 to \$356.22.

14 MR. GOLDSTEIN: So just to clarify, you're
15 disputing the bills from April of 2014 through
16 October 20th of 2014, the date you filed your formal
17 complaint?

18 A As far as the outstanding bills.

19 Q Okay. You used electricity during that
20 time period, though, right? You didn't move out of
21 your residence?

22 A No, I did not.

1 Q So you used electricity from April 2014
2 through October 20th of 2014?

3 A Yes.

4 Q So you feel you don't owe anything for the
5 amount of electricity you used during that time
6 period? You owe something, correct?

7 A Yes, I do feel that I owe something; but
8 not off of estimated and actual bills.

9 Q You don't feel that you owe money when the
10 bill is an actual read, where a meter reader actually
11 reads your meter?

12 A Well, the meters at that time, when -- the
13 time frame of them being put in, there were problems
14 concerning the meters, and they were reading in the
15 thousands. So when she put in those new meters,
16 that's when the problems began.

17 Q And you're saying that's April of 2014?

18 A No. The new meters were put in in May,
19 May 21st, 2014.

20 Q Okay. Did you make any payments toward any
21 of the amount due from April of 2014 to October 20th
22 of 2014?

1 A The one payment that I made was \$50, due to
2 me being on a payment plan.

3 Q Do you have the date of that \$50?

4 A July 29th, 2014.

5 Q Did you make any other payments from April
6 of 2014 to October 20th of 2014?

7 A No, I did not. I'm sorry -- repeat that.

8 Q Did you make any other payments other than
9 the \$50 in July of 2014 between the time periods that
10 we're talking about, April of 2014 and October 20th
11 of 2014?

12 A No, I did not. I didn't receive all of my
13 bills. I'm missing three bills. Also, I was
14 fighting against the estimated and actual readings,
15 so therefore I wasn't paying at that time.

16 Q So are you saying when there's an actual
17 read, where a meter reader actually goes out and
18 reads your meter, that you dispute having to pay a
19 bill that's based on an actual read?

20 A Yes, when it's due to actual and estimated
21 readings.

22 Q But you did use electricity during the time

1 period April of 2014 through October 20th of 2014.

2 You owed the Company some money for
3 some electricity that you used during that time
4 period, correct?

5 A Well, I don't know what I would owe because
6 they were actual and estimated readings.

7 MS. GRAHAM: No further questions.

8 JUDGE KIMBREL: Okay. I don't have anything
9 further for you, Ms. Polk. So we'll let Ms. Graham
10 put on her case, and then once she is finished,
11 you'll have the opportunity to question her witness
12 and ask questions.

13 MS. GRAHAM: Okay. Commonwealth Edison Company
14 would like to call Byron Geib.

15 JUDGE KIMBREL: Okay.

16 BYRON GEIB,
17 called as a witness herein, having been first duly
18 sworn, was examined and testified as follows:

19 DIRECT EXAMINATION

20 BY

21 MS. GRAHAM:

22 Q Would you please state your name and spell

1 it for the record.

2 A Yes. Byron Geib, G-E-I-B.

3 Q And what was your title at ComEd?

4 A I'm a senior business analyst for Customer
5 Relations.

6 Q And what are your general duties and
7 responsibilities as a senior business analyst for
8 customer relations?

9 A To help customers resolve issues regarding
10 their billing, meter reading history, and anything
11 else the Company asks me to do.

12 Q Are you familiar with Ms. Polk's Complaint
13 and with her account with ComEd?

14 A Yes.

15 Q How are you familiar with it?

16 A I reviewed all the information and
17 documentation in our billing system regarding the
18 account.

19 Q During what time period?

20 A From May 10th of 2013 until April 13th of
21 2015.

22 Q As part of your analysis before coming here

1 today, what did you review specifically?

2 A I reviewed an Account Activity Statement
3 and the customer's bills.

4 Q I'm going to hand you what's been marked as
5 ComEd Exhibit 1, an Account Activity Statement.

6 Can you please explain what this is.

7 A Yes, this is an Account Activity Statement
8 printed from our billing system for address of 14530
9 Halsted Street, Harvey, Illinois 60426, Apartment 2.
10 It's an Activity Statement from May of -- May 10th of
11 2013 until April 13th of 2015. It shows the account
12 balance due of \$3,277.67. It shows the billing
13 readings to and from each billing month and the
14 charge amount that's due.

15 Q And what is the ComEd account number?

16 A The ComEd account number is 1454 -- excuse
17 me -- 1456488057, Chakeeta Z. Polk.

18 MS. CHATAQUAKA POLK: Chataquaka.

19 THE WITNESS: I'm sorry. Chataquaka.

20 BY MS. GRAHAM:

21 Q Now, you heard Ms. Polk's testimony about
22 bills she received in March of 2014 for \$15.67.

1 Do you see that on the Activity
2 Statement?

3 A Yes.

4 Q And then you heard her testify that in
5 April of 2014, her bill, I think in her words,
6 jumped.

7 Can you explain what happened on the
8 account between March and April of 2014.

9 A Yes. It looks like on the Activity
10 Statement on 5/8 of 2014, they found Meter 995154086
11 attached to her premise and they canceled all the
12 bills back for 12 months to 5/10/2013, credited her
13 account \$558.97, and then re-billed her from 5/10 of
14 2013 to 5/8 of 2014 for Meter 995154086.

15 Q And can you explain why that re-bill would
16 have occurred?

17 A Yeah. Sometimes when there is a
18 mixed-meter situation on a premise -- at a premise
19 and we found that the usage was being billed to the
20 wrong meter or the wrong premise, we will go back and
21 re-bill the customer for the correct usage.

22 Q So can you explain more clearly what a

1 mixed-meter situation is and specify how that relates
2 to this account.

3 A Yes. In our billing system, if a specific
4 meter is attached to a unit number and we find -- due
5 to either customers calling in or the meter reading
6 going out to that specific premise, find that that
7 meter that's attached to that unit number is
8 incorrect, we will actually go out and physically
9 swap the meters to be tied to the correct apartment
10 number or building number.

11 Q And that's what happened with Ms. Polk's
12 account?

13 A That is what happened.

14 Q And that happened in March of 2014?

15 A Correct. March -- as far as I can tell, it
16 was like late March is when they went back and
17 re-billed on the Activity Statement.

18 Q And how does this mixed-meter re-bill
19 situation relate to the changes Ms. Polk testified
20 she saw in her bills?

21 A The increase in actual usage because there
22 were time frames from October of 2013 until March of

1 2014 where she was being billed for zero usage.

2 Q You heard Ms. Polk testify that she takes
3 issue with both estimated and actual bills.

4 Can you explain what an estimated bill
5 is?

6 A Yes. An estimated bill can occur if a
7 meter reader cannot access the premise or cannot
8 actually go out and physically read the meter due to
9 weather conditions or reasons beyond our physical
10 control.

11 Q And what is an actual billing situation?

12 A An actual read or a regular read is a read
13 where the meter reader act- -- comes out and
14 physically reads the meter.

15 Q Okay. And when ComEd charges the customer
16 based on an estimated read, that is consistent with
17 ComEd's duties and obligations under the Public
18 Utilities Act, correct?

19 A Yes. If we are unable to read the meter,
20 we can estimate a read based upon, you know, usage
21 history or the previous customer's usage history from
22 the previous month or the previous year.

1 Q You heard Ms. Polk testify that she takes
2 issue with her bills from April of 2014 through
3 October 20th of 2014.

4 Based on your analysis of the account,
5 is the billing during that time period correct?

6 A Yes.

7 Q Can you explain or point out any payments
8 that were -- that was made during that time
9 period, April 2014 through October 20th of 2014?

10 A I see a payment on 7/29 for \$50.

11 Q 7/29 of 2014?

12 A 2014. 7 -- July 29th of 2014, \$50 payment.
13 And that's all I see.

14 Q Okay. Now, ComEd Exhibit 1, this
15 is -- these are company records kept in the ordinary
16 course of business which you have access to as part
17 of your job, correct?

18 A Yes.

19 Q I'm going to hand you what's been marked as
20 ComEd Exhibit 2.

21 Can you explain what this is.

22 A This looks like a summary of an Activity

1 Statement. It shows billing periods from 5/3 of 2013
2 until 4/13 of 2015. Looks like the bills that were
3 previously charged prior to the meter exchange and
4 then the actual billing that we re-billed for the
5 correct meter from the mixed-meter situation.

6 Q Okay. Looking at the time period of issue,
7 from March of 2014 through October of 2014 and using
8 this exhibit, can you explain what happened on the
9 account.

10 A March 2014, we credited the account -- let
11 me see here -- can you repeat? I guess I'm trying to
12 understand what you're...

13 Q Drawing your attention to the section of
14 Exhibit 2 that says March 2014 to September 2014, can
15 you explain what that is.

16 A March 2014, we billed the customer prior to
17 6,981 kilowatts, and the re-billed usage was 3,278
18 kilowatts.

19 Q So this exhibit reflects the re-bill that
20 you talked about earlier based on the mixed-meter
21 situation?

22 A Correct.

1 Q Was Exhibit 2 created from documents kept
2 in the ordinary course of business?

3 A Yes, it's off the Activity Statement.

4 Q Is this true and accurate?

5 A Yes.

6 Q Based on your review of the account and the
7 billing on the account, is there anything to suggest
8 that the billing is improper or inaccurate?

9 A No.

10 Q Does this conclude your testimony?

11 A This concludes my testimony, yes.

12 MS. GRAHAM: We'd like to move Exhibits 1 and 2
13 into evidence.

14 JUDGE KIMBREL: Ms. Polk, do you have any
15 objection to the admission of ComEd Exhibit No. 1 and
16 No. 2 being entered into the record?

17 MS. CHATAQUAKA POLK: Yes, I do.

18 JUDGE KIMBREL: What is your objection?

19 MS. CHATAQUAKA POLK: My objection is during
20 that time I was to be on a billing payment -- a
21 payment plan which was \$118 --

22 JUDGE KIMBREL: You should focus your objection

1 on the exhibits, like --

2 MS. CHATAQUAKA POLK: Okay. So --

3 JUDGE KIMBREL: -- if you have an objection as

4 to the admission of either one of these exhibits

5 being entered into the record based upon the

6 information in each exhibit. For instance, if you

7 felt that this wasn't an accurate record or something

8 along that line.

9 MS. CHATAQUAKA POLK: Okay. The -- okay.

10 So as far as the billing is -- or

11 should I say goes, I believe at --

12 JUDGE KIMBREL: Now, Ms. Polk, I don't want to

13 interrupt you, but you can ask questions of Mr. Geib,

14 if you'd like, regarding these exhibits and his

15 testimony.

16 MS. CHATAQUAKA POLK: Okay.

17 JUDGE KIMBREL: But -- and feel free to do so.

18 But based on the admission of these

19 exhibits, do you have any objection based on each

20 individual exhibit?

21 MS. CHATAQUAKA POLK: (No response.)

22 JUDGE KIMBREL: It seems like you may have

1 questions concerning the information, but the
2 validity of the exhibit -- I think you have questions
3 regarding the information within the exhibits -- I
4 think, but I'm not sure if you're actually
5 questioning that -- for instance, Exhibit No. 1 is
6 what it says it is, a ComEd Account Activity
7 Statement.

8 MS. CHATAQUAKA POLK: Okay. To my
9 understanding -- this is what I'm trying to
10 understand.

11 Okay. My issue is, how can they be
12 accurate if they were estimated and actual bills?
13 See, I understand that --

14 MS. GRAHAM: Are you trying to ask Byron
15 questions on cross?

16 MS. CHATAQUAKA POLK: Okay. So --

17 MS. GRAHAM: I just want to make sure I
18 understand.

19 Are you asking --

20 MS. CHATAQUAKA POLK: Okay.

21 MS. GRAHAM: -- Byron questions?

22 MS. CHATAQUAKA POLK: Yes.

1 MS. GRAHAM: Okay.

2 MS. CHATAQUAKA POLK: So my question to you,
3 Byron, is this...

4 JUDGE KIMBREL: I don't want to interrupt you
5 again, Ms. Polk, but you don't have an objection to
6 the admission of these exhibits into the record?

7 MS. CHATAQUAKA POLK: Yes, I do.

8 JUDGE KIMBREL: Okay. And what is that
9 objection?

10 MS. CHATAQUAKA POLK: That they are based off
11 of estimated and actual bills.

12 JUDGE KIMBREL: Okay.

13 MS. CHATAQUAKA POLK: And I've...

14 JUDGE KIMBREL: That's fine.

15 MS. CHATAQUAKA POLK: Okay.

16 JUDGE KIMBREL: Your objection is noted for the
17 record, and I'm going to enter both ComEd Exhibit 1
18 and 2 into the record.

19 (ComEd Exhibit Nos. 1 and 2
20 were entered into evidence.)

21 JUDGE KIMBREL: And now you may ask Mr. Geib
22 what questions you have for him.

1 MS. CHATAQUAKA POLK: Okay.

2 CROSS-EXAMINATION

3 BY

4 MS. CHATAQUAKA POLK:

5 Q So when -- Mr. Byron, my question about the
6 meter is this: For a technician, when they are
7 completing the task at a building or a home, how soon
8 does a technician have to put in that information?

9 A They submit that information, you know,
10 when they get back to the office. However, it can be
11 up to 60, 90, 120 days before information's actually
12 put into the system due to the workflow. There are
13 union positions and each person is responsible for
14 handling a specific duty, so it could be a couple
15 months before it actually gets put in.

16 Q What are the procedures of putting in a new
17 meter?

18 A I can't answer that. I don't know. I'm
19 not a technician.

20 Q You don't know?

21 A Yeah.

22 Q Okay. So you said for -- what was the

1 definition of "estimated"?

2 A An estimated read is if the meter reader is
3 unable to go out and actually physically read the
4 meter due to access issues or weather or anything
5 beyond the meter reader's control such as weather,
6 or a dog --

7 Q Okay.

8 A -- or a gate.

9 Q Okay. So what if they have the number to
10 the customer in order for them to get in contact with
11 them, in order for them to read the meter? How would
12 that go?

13 A You mean if -- if we had the phone number,
14 typically they call to make arrangements to meet the
15 person if the -- to read the meter at the premise as
16 long as the weather conditions, you know, accommodate
17 and things like that. I know in January and February
18 of this past year, because of the weather, we
19 couldn't read some meters.

20 Q Is that -- so it would be on file for the
21 person to have the number to call, the technicians to
22 call the customer and set up an appointment for them

1 to read a meter?

2 A We notate the account if a customer
3 requests it, yes.

4 Q Okay. So for the bill of 1,419.05, it
5 says -- can you inform me of how the payment plan is
6 supposed to go -- a payment plan?

7 A Typically if a customer requests a payment
8 agreement, we take the total balance of the account
9 and multiply it based upon the down payment
10 requirements, finance the payment arrangements over a
11 12-month period, and the customer's responsible for
12 paying that monthly payment of the payment
13 arrangement in addition to their monthly bills going
14 forward.

15 Q Okay. So for that payment plan, is that
16 combined with what is the part of the balance that's
17 due?

18 A It's the full balance that's due.

19 Q The full balance --

20 A Correct.

21 Q -- that's due?

22 A Correct.

1 Q And also the bill -- next bill that --

2 A That you use --

3 Q -- that you have to pay?

4 A That the customer uses, correct.

5 Q And so all of billing for the people and

6 the billing and the supervisors, they both know this

7 information?

8 A They should, yes.

9 Q Also, if possible, can you show me when my

10 billing -- my billing arrangement began.

11 A It looks like it was started on June 17th

12 of 2014.

13 Q And the 118, that was \$118?

14 A I guess I don't understand what you're

15 asking.

16 Q Okay. So what was the -- for the billing

17 arrangement, how much would I have had to pay from

18 that \$1,419?

19 A It looks like \$118.25 was part of the

20 monthly payment arrangement -- your monthly -- your

21 monthly payment arrangement.

22 Q And what did that consist of? That

1 consisted of what month?

2 A From this, I can't tell.

3 The payment arrangement's based upon

4 your outstanding balance of \$1,419.05 according to

5 the Activity Statement.

6 Q So how did the \$118 come about?

7 A I don't have a calculator, but \$1,419.05

8 divided by 12 months.

9 Q So that's a collaboration of...?

10 A Your total balance divided by 12. Your

11 total -- the total amount you are due -- the total

12 amount we're financing for you divided by 12.

13 Q So that does not include the new -- the

14 next bill?

15 A Any prior service that you use going

16 forward will be in addition to that 118.25.

17 Q Okay. So what does "Cancel Electric

18 Service" mean?

19 A That means the bill was canceled from

20 5/13 -- or depending on the date. It means the bill

21 that you had previously received has been canceled

22 for us to be able to re-bill the correct bill based

1 upon the usage that we found on the meter. And it
2 also states that on your bills that you receive in
3 the mail.

4 Q So the balance of \$186, that's for -- it
5 says "Payment"?

6 A 186- --

7 Q 37?

8 A -- 37. That was service that previously
9 billed from 5/13 of 2014 to 6/13 of 2014.

10 JUDGE KIMBREL: And, Ms. Polk, you're looking
11 at ComEd Exhibit No. 1 and you're -- you've been
12 looking at page 2.

13 Those are where your questions are
14 coming from, I believe.

15 MS. CHATAQUAKA POLK: Yes.

16 JUDGE KIMBREL: Okay.

17 BY MS. CHATAQUAKA POLK:

18 Q So from -- so from the \$1,419 -- I was
19 billed that -- can you tell me -- can you inform me
20 why it was increased?

21 A I can't.

22 Q Okay. So I don't understand why you can't

1 tell me why it increased --

2 MS. GRAHAM: Why what increased?

3 BY MS. CHATAQUAKA POLK:

4 Q -- by 1,419.05?

5 MS. GRAHAM: Why what increased, Ms. Polk? Can

6 you clarify.

7 BY MS. CHATAQUAKA POLK:

8 Q So the bill from -- I didn't receive

9 one -- the bill for \$1,419. I was told that over the

10 phone. And I was told that I was on a payment plan

11 of \$118.25. I went to the Illinois Commerce

12 Commission because of me being billed estimated and

13 actual billings.

14 From that \$1,419 it decreased to

15 \$1,252, then it increased again to \$1,398. Then it

16 went to \$186.37; then back up to 4 d- -- 4 -- I mean,

17 \$304.62; then 400 -- 900 -- 496.57. Then it

18 increased again to \$1,751, and it has increased ever

19 since.

20 A The reason that happened is we put you on a

21 payment agreement for \$1,419.05. Another bill came

22 for \$118.25, no payment was received. Another bill

1 came for -- let's see -- \$496.57, no payment was
2 received.

3 So your balance kept rolling forward,
4 and then they removed you from the payment
5 arrangement because no other payments were received.

6 Q So my question is why did it decrease?
7 When it was \$1,419, if I was on a payment plan, why
8 did it then decrease and still in the -- it's still
9 in the red from \$1,252?

10 A The reason it's in the red is that's just
11 our bill format. It doesn't mean anything. Every
12 line item is red because that's the color of the
13 bill. When they redesigned the bill, they made
14 everyone's red. So it doesn't mean anything for it
15 being in the red.

16 And the reason that you didn't have a
17 past due balance is we remove all past due balances
18 on a customer's bill when we roll it into a payment
19 arrangement. So you're not going to see any past due
20 balances anymore when we put you on a payment
21 arrangement, and that's why -- you know, that's why
22 it decreased. Your total amount due decreased, so

1 you weren't past due anymore.

2 Q I was told from a billing arrangement that
3 I was only to pay \$118 as a straight bill. That was
4 from billing arrangement.

5 A So the 118.25 is your monthly obligation
6 for your past due, but then you were also responsible
7 for anything you use for each month going forward.

8 Q That's not what I was told.

9 A I can't -- I don't have access to the phone
10 calls, so I don't know what you were told.

11 Q That's why there was a discrepancy in the
12 estimated and actual readings also. I was told that
13 I was supposed to pay \$118 --

14 MS. GRAHAM: Ms. Polk --

15 JUDGE KIMBREL: Ms. Polk, I don't want to cut
16 you off; but if you have questions --

17 MS. CHATAQUAKA POLK: Okay. Sorry.

18 JUDGE KIMBREL: -- for the witness, you should
19 ask them, but otherwise...

20 MS. CHATAQUAKA POLK: Otherwise. I understand.

21 JUDGE KIMBREL: You'll get an opportunity to
22 make a closing statement though.

1 MS. CHATAQUAKA POLK: Okay.

2 JUDGE KIMBREL: Do you have any further
3 questions for Mr. Geib?

4 MS. CHATAQUAKA POLK: No, I do not.

5 JUDGE KIMBREL: Okay.

6 MS. GRAHAM: Just one question on redirect.

7 REDIRECT EXAMINATION

8 BY

9 MS. GRAHAM:

10 Q Mr. Geib, could you please explain for us
11 why a customer would be removed from a deferred
12 payment agreement.

13 A If we don't receive monthly payments that
14 are -- that we don't receive monthly payments on time
15 based upon the arrangements that were made, that
16 would default.

17 Q So looking at page 2 of Exhibit 1, this
18 payment agreement that Ms. Polk was referring to, why
19 was she removed from that payment agreement?

20 A It defaulted.

21 Q Meaning what?

22 A That means we did not receive the monthly

1 payments that were agreed to.

2 MS. GRAHAM: Thank you. No further questions.

3 JUDGE KIMBREL: Okay. Ms. Polk, would you like
4 to take this opportunity to give a closing
5 statement -- give you that opportunity, and give
6 Counsel for the Company the same opportunity?

7 If you do not wish to, though, I'll
8 just explain to you what happens next, but it's
9 entirely up to you.

10 MS. CHATAQUAKA POLK: Yes, I will.

11 JUDGE KIMBREL: Okay.

12 CLOSING ARGUMENTS

13 BY

14 MS. CHATAQUAKA POLK:

15 When providing a service, a customer
16 expects the person or company to be honest,
17 trustworthy, and give a good quality service. I have
18 found this not to be the case concerning ComEd. I
19 expected them to be a reputable business and not lie
20 concerning my bill or anything associated with it.

21 I have been provided -- they have
22 provided me with estimated and actual bills that they

1 feel I must pay both of and refuse to refund the
2 monies on the bills I have paid on. They -- due to
3 them saying they weren't going to give me free
4 electricity, when I have proof due to pictures dated
5 5/21/2014 stating when new meters were put in, and
6 they were lying in my report.

7 On September 8th, 2014, I argued back
8 and forth with ComEd's representative about new
9 meters being put in, which he said they were put in
10 in August. The second representative said the meters
11 were put in in August, also, when I have proof of
12 otherwise.

13 I am seeking the refund of monies I
14 have paid, which comes to the amount of \$268.42 and a
15 completely new starting of a bill.

16 JUDGE KIMBREL: Okay. Thank you, Ms. Polk.

17 MS. GRAHAM: I have a brief statement.

18 CLOSING ARGUMENTS

19 BY

20 MS. GRAHAM:

21 Judge, as has been made clear by the
22 evidence, the billing is correct during the time

1 period in question, which is March of 2014 through
2 October 20th of 2014. Therefore, Ms. Polk is
3 responsible for the outstanding balance on her
4 account, which is \$3,277.67.

5 Ms. Polk has the burden of proof and
6 she has failed to meet her burden. She has failed to
7 show that the billing is not correct and that she's
8 not responsible for the outstanding amount. It's
9 that simple.

10 JUDGE KIMBREL: Okay. Well, Ms. Polk, I will
11 have to draft a Proposed Order, and it will be served
12 upon you and the Company. And then, at the -- the
13 last page of the Draft Order there will be a date for
14 which you both will be able to file Briefs on
15 Exceptions, where basically you'll submit any issues
16 you have with the Proposed Order. Then there will
17 also be a date for Reply Briefs on Exceptions where
18 you will be able to respond to what the Company
19 stated in its Brief on Exceptions.

20 So there's a Proposed Order, then you
21 file a Brief on Exceptions, and then you can file a
22 reply Brief on Exceptions. The Brief on Exceptions,

1 you address whatever issues you have with the
2 Proposed Order. In the Reply Brief on Exceptions,
3 you address the Company's Brief on Exceptions.

4 Do you understand?

5 MS. CHATAQUAKA POLK: I'm trying to.

6 JUDGE KIMBREL: Yeah. So I issue the order,
7 then you draft something stating --

8 MS. CHATAQUAKA POLK: Okay. Hold on.

9 JUDGE KIMBREL: -- the issues you have.

10 MS. CHATAQUAKA POLK: Can I write this down?

11 JUDGE KIMBREL: Yeah. Yes. Sure.

12 MS. CHATAQUAKA POLK: Okay.

13 MR. GOLDSTEIN: Can we go off the record,
14 Judge?

15 JUDGE KIMBREL: Sure. We can go off the
16 record.

17 (A discussion was held off
18 the record.)

19 JUDGE KIMBREL: Okay. Is there anything else
20 that either one of you has to add before I mark this
21 matter heard and taken?

22 MS. GRAHAM: I have nothing, Judge.

1 JUDGE KIMBREL: Ms. Polk, is there anything
2 further you'd would like to add?

3 MS. CHATAQUAKA POLK: Yes, I would.
4 The pictures that I have, can I still
5 use those?

6 MR. GOLDSTEIN: I would object to that, Judge.
7 The Company objects to using pictures.
8 We don't know what the pictures are, we haven't seen
9 the pictures, we don't know what the date on them is
10 or what the relevance is to the Complaint.

11 MS. CHATAQUAKA POLK: If I was to get them
12 copies of pictures, can I still use those?

13 MR. GOLDSTEIN: Judge, we haven't had the
14 opportunity to cross-examine on the pictures because
15 she didn't move them into evidence earlier.

16 JUDGE KIMBREL: Yeah. Unfortunately, Ms. Polk,
17 you really should have them printed down -- printed
18 and attempted to admit them as evidence. But because
19 you didn't bring those with you and print them down,
20 that would be an issue.

21 Is there anything further?

22 MS. CHATAQUAKA POLK: Nothing further.

1 JUDGE KIMBREL: Okay. So that being the case,
2 I'll mark this matter heard and taken.
3 Thank you, Ms. Polk.
4 Thank you, Ms. Graham.
5 (ComEd Exhibit Nos. 1 and 2
6 were marked for
7 identification.)
8 HEARD AND TAKEN.
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